IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 1341 of 2004 (S/S)

Balvir Singh
S/o Sri Kann Singh

……. Petitioner

Versus

1. State of Uttaranchal
   Through the Secretary,
   Minor Irrigation Department,
   Govt. of Uttaranchal, Dehradun.
2. Superintending Engineer
   Minor Irrigation Circle Pauri Garhwal
3. Executive Engineer,
   Minor Irrigation Tehri Garhwal.

……. Respondents

None for the petitioners.
Mr. N.P. Sah and Mr. Harendra Belwal, Standing Counsel for respondents.

Hon'ble Prafulla C. Pant, J.

None present for the petitioner.

Learned Standing Counsel is present for the respondents.

2) By means of this writ petition, the petitioner has sought his regularization in service. The petitioner is a daily wage worker, working as High Drum Operator / Chowkidar, with the Minor Irrigation Department.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991,*** that workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed

against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioner.

4) Therefore, the writ petition is dismissed. Interim order, in any, stand vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt. : November 13, 2006
H.Negi